



## Personnel and Administrative Policy and Procedure

<b>SUBJECT: Conduct and Discipline</b>	<b>EFFECTIVE DATE:</b> July 1, 2003 <b>REVIEWED:</b> May 2011 <b>REVISED:</b>
<b>CATEGORY: 200</b> <b>POLICY NUMBER: 200.9</b>	<b>CROSS REFERENCE: Discrimination and Harassment 200.12, Drug and Alcohol Policy 200.13, Ethics 200.18, Violence in the Workplace 300.2</b>

**Purpose:** To establish high standards of conduct for all employees in order to render the best possible service to the general public and to reflect positively on City services.

### Definitions

#### Improper Conduct

The term "improper conduct" shall mean any improper action by an employee which tends to affect the employee's ability to perform assigned duties properly, which threatens the safe and productive conduct of City operations, or which endangers City personnel or property. "Improper conduct" also includes but is not limited to:

1. Falsifying employment or other City records.
2. Improper use of one's position as an employee for personal advantage.
3. Reporting to work intoxicated or under the influence of non-prescribed drugs and illegal manufacture, possession, use, sale, distribution or transportation of drugs. (**See Drug and Alcohol Policy and Procedure 200.13**)
4. Bringing or using alcoholic beverages on City property or using alcoholic beverages while engaged in City business off City premises, except where authorized.
5. Insubordination.
6. Offensive or threatening conduct or language toward the public, other City employees or City Officials. Discourteous treatment of the public or co-workers.
7. Inefficiency or incompetence; inability to perform assigned work in an efficient manner.
8. Inattention to duty, tardiness, indolence, carelessness, or damage to or negligence in the care and handling of City property.
9. Disregarding safety or security regulations.
10. Failing to maintain the confidentiality of City, customer, or client information.
11. Improper or unauthorized use of City vehicles or equipment; use of City property for personal reasons.
12. Claim of sick leave under false pretenses or misuse of sick leave.
13. Conviction of or pleading guilty to a crime which in the City's judgment would render the person unfit to perform in a particular position.

14. Absence from duty without leave, failure to report after leave of absence has expired or after such leave of absence has been disapproved, revoked or canceled by proper authorities.
15. Willful violation of any of the provisions of the City Charter, Ordinances, these Policies and Procedures, or any policies and procedures, or rules or regulations which may be prescribed by the City Manager or a department head; failure to follow the ethics requirements of state law as it applies to employees.
16. Theft of property from co-workers, customers, or the City.
17. Solicitation or acceptance by an employee of any reward, gift, or other form of monetary or nonmonetary remuneration which is in violation of State Ethics law. (**See Ethics Policy and Procedure 200.18**)
18. Altering or falsifying any timekeeping record; falsifying or making a material omission on an employment application or making erroneous entries or material omission on or into the City's records.
19. Bringing onto City property or a worksite, any dangerous or unauthorized materials including but not limited to: explosives, firearms or similar items, except those authorized by the Department as required for the position such as for Police Officers.
20. Unlawful harassment. (**See Discrimination Policy and Procedure 200.12**)
21. Any other willful failure of good conduct tending to injure the public service.
22. Fighting or violence in the workplace or on a worksite. (**See Violence in the Workplace Policy and Procedure 300.2.**)

**Scope:** Provisions of conduct shall apply to all employees including career service, part-time, temporary, provisional and seasonal. All provisions of conduct shall also apply to volunteers.

**Policy:** The expected standard of conduct for all employees in the career and exempt services and volunteers in the service of the City shall be in the public interest as opposed to individual interests.

Examples of appropriate behavior in the workplace include but are not limited to:

1. Presenting a cooperative and professional image.
2. Treating others with respect.
3. Working effectively with others and functioning as part of a team.
4. Being flexible to accept changes in a positive manner.
5. Communicating effectively in a constructive, respectful manner.

Violation of any actions listed under improper conduct shall be considered just cause for disciplinary action up to and including termination. The principal objective of any disciplinary action shall first be to improve the performance, efficiency, and morale of the City service. However should performance, work habits, overall attitude, conduct or demeanor of an employee become unsatisfactory in the judgment of the City based on violations either of the above or any other City policies, procedures, rules, or regulations, the employee will be subject to disciplinary action up to and including dismissal. Specific types of disciplinary action may include: oral reprimand, written reprimand, suspension without pay, demotion, and discharge.

**Guidelines for Use:** Except for infractions of safety rules or major significance, as defined by FLSA, exempt employees will be subject to disciplinary suspensions only in increments of a full work week and in accordance with the FLSA. In no case will an exempt employee be subject to any suspension or other discipline that is inconsistent with the employee's exempt status.

Appeals from disciplinary action by represented employees are covered by contractual procedures in the collective bargaining agreements.

### **Responsibilities**

Employees: To follow the terms of appropriate conduct as outlined here and elsewhere in the City's and Department's policies and procedures.

Supervisors: To monitor the workplace, to inform employees of performance related expectations, and to take appropriate action when a violation has occurred.

Human Resources Director: To work with employees and supervisors to provide guidance on the fair, and equitable administration of this and other policies regarding employee conduct.

Department Heads: In instances where the department head is other than the supervisor, a written warning or disciplinary action that imposes economic sanctions requires the approval of the department head.

### **Cross Reference:**

**Discrimination and Harassment Policy and Procedure 200.12**

**Drug and Alcohol Policy and Procedure 200.13**

**Ethics Policy and Procedure 200.18**

**Violence in the Workplace Policy and Procedure 300.2**